

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**CHARLENE DZIELAK, et al.,**

**Plaintiffs,**

**v.**

**WHIRLPOOL CORPORATION, et al.,**

**Defendants.**

Civ. No. 2:12-0089

(KM)(JBC)

**ORDER**

**THIS MATTER** having come before the Court upon the motions *in limine* of defendants Whirlpool Corporation, Lowe's Home Centers, LLC, Sears Holdings Corporation, and Fry's Electronics, Inc. (collectively, the "Defendants") (ECF Nos. 198, 199, and 200), and the cross-motion *in limine* of the plaintiffs (ECF No. 221); and the Court having considered the moving papers and the papers in opposition and reply (ECF Nos. 198-1, 199-1, 200-1, 212, 213, 214, 224, 228, 229, 230, 231, 232); for the reasons set forth in the accompanying Opinion, and good cause appearing therefor;

**IT IS** this 17th day of March, 2017,

**ORDERED**, in accordance with the accompanying Opinion, that:

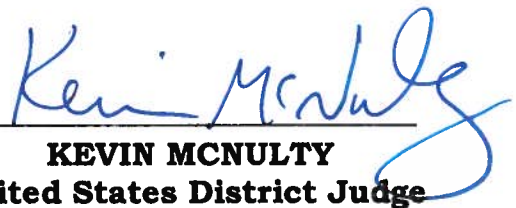
The defendants' motion to exclude the expert opinions of Dr. Ramamirtham Sukumar (ECF No. 198) is **DENIED**;

The defendants' motion to exclude the expert opinions of Dr. Michael J. Dennis (ECF No. 199) is **DENIED**;

The defendants' motion to exclude the expert opinions of Colin B. Weir (ECF No. 200) is **GRANTED in part**, as to the portions of Mr. Weir's opinions that rely on the anonymous Whirlpool document, and **DENIED in part**, as to the remainder of Mr. Weir's opinions; and

The plaintiffs' motion to strike the rebuttal and supplemental reports of Dr. Carol A. Scott (ECF No. 221) is **DENIED**.

Plaintiffs may, at their option, submit within 14 days of the date of this Order, a supplemental report, not to exceed 5 pages, confined to the issue of the additional Home Depot data discussed in Dr. Scott's supplemental report. Plaintiffs' request to submit a further response to Dr. Scott's Rebuttal Report is denied.

  
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**KEVIN MCNULTY**  
**United States District Judge**